



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/168,072	10/08/1998	NICK MARCHESANI	2413-101A	2085
24633	7590	11/17/2008	EXAMINER	
HOGAN & HARTSON LLP IP GROUP, COLUMBIA SQUARE 555 THIRTEENTH STREET, N.W. WASHINGTON, DC 20004			PIERCE, WILLIAM M	
ART UNIT	PAPER NUMBER	3711		
NOTIFICATION DATE		DELIVERY MODE		
11/17/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dcptopatent@hhlaw.com  
rogruwell@hhlaw.com



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09168072	10/8/1998	MARCHESANI, NICK	2413-101A

EXAMINER

William M. Pierce

ART UNIT	PAPER
----------	-------

3711 20081110

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner for Patents**

This communication is in response to the letter dated 8/15/08. As set forth in the Notice of Non Compliant Amendment sent 8/12/08 it was assumed then that this communication was in error. However, procedurally deleting the communication/response would have a negative affect on the basis for the Notice. Such would appear to bring about a question of abandonment for failing to provide a bona fide response to the first OA 2/8/08. As such, the communication of 5/6/08 remains in the application and the time period runs as set forth in the Notice.

/William M Pierce/  
Primary Examiner, Art Unit 3711